

REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1-29 previously presented for examination remain in the application.

Claims 1, 11-15, 16, and 20 have been amended. No claims have been canceled or added.

Claims 11-15 stand rejected under 35 U.S.C. § 101 as being considered to be directed to non-statutory subject matter. Claims 11-15 have been amended to clarify that the computer accessible storage medium of claims 11-15 is a tangible medium. Applicant respectfully submits that the claims meet the requirements of 35 U.S.C. § 101.

Claim 1 stands objected to due to informalities. Claim 1 has been amended as indicated according to the Examiner's recommendation.

Independent claims 11, 16 and 20 incorporate similar amendments as well.

Claims 1-29 stand rejected under 35 U.S.C. § 102(e) as being considered to be anticipated by U.S. Patent Application No. 2003/0051041 A1 to Kalavade et al. ("Kalavade").

For a 35 U.S.C. §102 reference to anticipate a claim, the reference must teach every element of the claim. Section 2131 of the MPEP recites: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 1 includes the limitations

establishing a protected communications channel with a computing system, the computing system providing SIM AAA capabilities without use of a discrete hardware SIM device; and provisioning SIM secret data to the computing system over the protected communications channel.

(Claim 1)(Emphasis added)

Applicant respectfully submits that Kalavade does not teach provisioning SIM secret data to a system that does not use a discrete hardware SIM device.

Kalavade discloses a method and apparatus for integrating wireless WAN and IP LAN based systems, particularly their authentication and billing systems (see e.g. Kalavade, paragraph [0054]).

According to Kalavade, users can access the LAN/WAN from a variety of terminals with different features that generally fall into two categories with respect to SIM support. One category includes terminals lacking inherent SIM support and the second is terminals with SIM support. (Kalavade, paragraphs [0071] – [0072]).

For the first category, Kalavade discloses using the WAN database for service creation and subsequently using a LAN-based login/password scheme for authentication and in some cases, a LAN-based authentication protocol such as 802.1x. (Kalavade, paragraph [0073]). Alternatively, Kalavade discloses using a SIM in a user's phone to provide integration with the SIM infrastructure (Kalavade, paragraph [0075]).

In the Office Action, it is stated that paragraphs [0123] and [0113] are considered to disclose provisioning SIM secret data to a computing system over a protected communications channel.

Applicants respectfully submit that this is not a fair characterization. Paragraph [0123] refers to a client system providing encrypted login/password information to the billing server, while paragraph [0113] refers to determining the IMSI associated with a phone number and obtaining a user record from a database.

Kalavade does not teach provisioning SIM secret data to a computing system without the use of a discrete SIM device over a protected communications channel as set forth in claim 1.

For at least the foregoing reasons, claim 1 is patentably distinguished over Kalavade.

Independent claims 5, 11, 16 and 20 include a similar limitation. Claims 2-4, claims 6-10, claims 12-15, claims 17-19 and claims 21-29 depend from and further limit claims 1, 5, 11, 16 and 20, respectively. Therefore, claims 1-29 are patentably distinguished over Kalavade for at least the same reasons argued above in reference to claim 1.

Applicant respectfully submits that the applicable objections and rejections have been overcome and the claims as presented are in condition for allowance. If there are any remaining issues, the Examiner is invited to contact Applicant's representative at the number below to expedite allowance.

If there are any charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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